

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY *eg* D.C.

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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

PHILLIP E. BOYNTON, CLARENCE W.  
BOYNTON, NORMA ANN LOGAN,  
RENELDA J. WESTFALL, SHANNON  
NONN, AARON SCOTT BERNARD,  
ALAN F. BERNARD, LINDA R.  
BERNARD, and DAVID ALAN BERNARD,

Plaintiffs,

No. 1-02-1111-MI/An

vs.

HEADWATERS, INC.,

Defendants

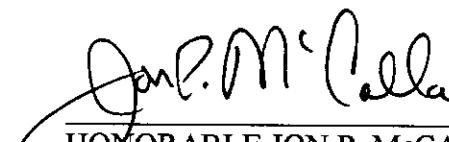
*DM*  
PROPOSED ORDER GRANTING DEFENDANT HEADWATERS' UNOPPOSED  
MOTION FOR LEAVE TO FILE A REPLY MEMORANDUM

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 12-12-05

465

The Court has considered defendant Headwaters' unopposed motion for leave to file a reply memorandum in further support of its motion for summary judgment filed October 31, 2005. Good cause appearing, IT IS THUS ORDERED THAT Headwaters' motion for leave to file a reply is hereby GRANTED. IT IS FURTHER ORDERED THAT the Clerk of Court shall immediately file "Defendant Headwaters' Reply Memorandum in further Support of Its October 31, 2005 Motion for Summary Judgment," attached as Exhibit "A" to Headwaters' motion for leave to file a reply. This document will be treated as though filed on the date of entry of this Order.

SO ORDERED this 9 day of December, 2005.



HONORABLE JON P. McCALLA  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing [PROPOSED] ORDER GRANTING DEFENDANT HEADWATERS' UNOPPOSED MOTION FOR LEAVE TO FILE A REPLY MEMORANDUM was served upon the other parties to this case by delivering a true copy thereof to their respective attorneys of record this December <sup>8</sup> 1, 2005 as follows:

Jeffrey A. Greene, Esq. (Via Facsimile & First Class Mail)  
Gregory H. Oakley, Esq.  
**JEFFREY A. GREENE, P.C.**  
One Burton Hills Blvd., Suite 330  
Nashville, Tennessee 37215

Clinton L. Kelly, Esq. (Via Facsimile & First Class Mail)  
Andy L. Allman, Esq.  
**KELLY, KELLY, & ALLMAN**  
629 E. Main Street  
Hendersonville, TN 37057



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This notice confirms a copy of the document docketed as number 465 in case 1:02-CV-01111 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

---

David L. Bearman  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Jeffrey A. Greene  
One Burton Hills Blvd  
Ste 330  
Nashville, TN 37215

Joseph G Pia  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 E. South Temple  
Salt Lake City, UT 84111

Greg Oakley  
SMALL SOPER & OAKLEY  
One Burton Hills Blvd.  
Ste. 330  
Nashville, TN 37215

Guy C. Nicholson  
TISDALE & NICHOLSON  
2029 Century Park East  
Ste 900  
Los Angeles, CA 90067

Brian L. Davis  
LAW OFFICE OF BRIAN DAVIS  
919 Ferncliff Cove  
Suite 1  
Southaven, MS 38671

Brent P. Lorimer  
WORKMAN NYDEGGER  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111

Leo Maurice Bearman  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

David R. Wright  
WORKMAN NYDEGGER & SEELEY  
100 Eagle Gate Tower  
60 E. South Temple  
Salt Lake City, UT 84111

R. Parrish Freeman  
WORKMAN NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 E. South Temple  
Salt Lake City, UT 84111

Charles J. Veverka  
WORKMAN NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 E. South Temple  
Salt Lake City, UT 84111

Honorable Jon McCalla  
US DISTRICT COURT